

Introduced by Senator Wright

February 16, 2011

An act to amend Section 83115 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 415, as introduced, Wright. Political Reform Act of 1974: investigations.

The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, lobbyists, conflicts of interest of public officials, and related matters, and establishes the Fair Political Practices Commission to enforce the act's provisions. The Commission is charged with the responsibility to investigate, upon the sworn complaint of any person or upon its own initiative, possible violations of the act relating to any agency, official, election, lobbyist, or legislative or administrative action.

This bill would require the Commission to notify any person who is the subject of an investigation by the Commission of the investigation at least 24 hours before the Commission makes any information regarding the investigation available to the public.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 83115 of the Government Code is amended to read:

83115. (a) Upon the sworn complaint of any person or on its own initiative, the ~~commission~~ *Commission* shall investigate possible violations of this title relating to any agency, official, election, lobbyist, or legislative or administrative action. ~~Within~~

(b) *A person who is the subject of an investigation by the Commission shall be notified of the investigation at least 24 hours before the Commission makes any information regarding the investigation available to the public.*

(c) *Within 14 days after receipt of a complaint under this section, the ~~commission~~ Commission shall notify in writing the person who made the complaint of the action, if any, the ~~commission~~ Commission has taken or plans to take on the complaint, together with the reasons for such action or nonaction. If no decision has been made within 14 days, the person who made the complaint shall be notified of the reasons for the delay and shall subsequently receive notification as provided above.*

SEC. 2. The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.